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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 3961 OF 2006

Suresh Hasapure ... Petitioner
Vs.
Basavraj Bagale ... Respondent

Mr. C. P. Deogirikar, Advocate for the Petitioner.

CORAM : V. C. DAGA, J.
DATE : AUGUST 28, 2006.

P.C.

. Heard the learned counsel for the Petitioner. Having examined the impugned order in the light of submissions made and reasons recorded therein , the view taken is a reasonable and possible view.

2. The quashing of order impugned in this petition dated 30th May 2006 will result in restoration of the order which prima facie could not have been passed on the basis of Rule 86(1) and (2) of the Maharashtra Specified Co-operative Societies Elections to Committees Rule, 1971.

3. No writ can be issued to restore illegal order. (See **AIR 1966 S.C. 828 = 1966(2)SCR 172).**In this view of the matter,

looking to the substantial justice made by the impugned order, no interference with the same is warranted in exercise of writ jurisdiction. In the result, petition is dismissed in limine. No orders as to costs.

[V. C. DAGA, J.]